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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 JAIME HERRERA,

12 Petitioner,

13 v.

14 TERESA CISNEROS, Warden,

15 Respondent.  
16

No. 1:22-cv-0703 JLT SKO (HC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND  
DENYING PETITIONER'S MOTION  
FOR A STAY

(Docs. 2, 6)

17 Jaime Herrera is a state prisoner proceeding *pro se* and *in forma pauperis* with a petition  
18 for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner moved for the action to be  
19 stayed and his petition to be held in abeyance pending exhaustion of additional claims pursuant to  
20 *Rhines v. Weber*, 544 U.S. 269, 277 (2005). (Doc. 2.) The assigned magistrate judge found  
21 Petitioner failed to show good cause for the stay, and recommended the motion be denied. (Doc.  
22 6.)

23 The Findings and Recommendations included a notice that any objections thereto were to  
24 be filed within 21 days of service. (Doc. 6 at 3.) In addition, the Court advised Petitioner that the  
25 “failure to file objections within the specified time may waive the right to appeal the Order of the  
26 District Court.” (*Id.*, citing *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).) No objections have  
27 been filed, and the deadline to do so has expired.

28 According to 28 U.S.C. § 636 (b)(1)(C), the Court conducted a *de novo* review of the case.

1 Having carefully reviewed the entire matter, the Court concludes the Findings and  
2 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 3 1. The Findings and Recommendations issued on June 15, 2022 (Doc. 6), are  
4 **ADOPTED IN FULL.**
- 5 2. Petitioner's motion for stay (Doc. 2) is **DENIED.**
- 6 3. The matter is referred to the magistrate judge for further proceedings pursuant to  
7 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

8  
9 IT IS SO ORDERED.

10 Dated: **July 22, 2022**

  
UNITED STATES DISTRICT JUDGE